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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors

- ☐ Affects PG&E Corporation
- ☐ Affects Pacific Gas and Electric Company
- ☒ Affects both Debtors

**All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**THE OFFICIAL COMMITTEE OF
TORT CLAIMANTS' REQUEST FOR
JUDICIAL NOTICE IN OPPOSITION TO
CORRECTED MOTION OF DEBTORS
PURSUANT TO 11 U.S.C. § 1121(d) TO
EXTEND EXCLUSIVITY PERIODS
(DKT. NO. 1797)**

Date: May 22, 2019
Time: 9:30 a.m. (Pacific Time)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

Objections Due:
May 15, 2019 at 4:00 p.m. (Pacific Time)

**TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR COUNSEL
OF RECORD:**

1 The Official Committee of Tort Claimants (hereafter, the “TCC”), by and through its
2 counsel of record, respectfully requests that the Court take judicial notice of the following
3 documents pursuant to Federal Rule of Evidence 201:

4 1. Portions of the unofficial Transcript of Meeting of Creditors on April 29, 2019.¹
5 True and correct copies of the portions of the transcript are attached hereto as **Exhibit A** and
6 incorporated herein by reference.

7 2. National Transportation Safety Board, Pacific Gas and Electric Company, Natural
8 Gas Transmission Pipeline Rupture and Fire, San Bruno CA, Sept. 9, 2010, Pipeline Accident
9 Report NTSB/PAR-11/01. A true and correct copy of the accident report is attached hereto as
10 **Exhibit B**.

11 3. April 1, 2014 Indictment handed up in *United States of America v. Pacific Gas and*
12 *Electric Company*, Case No. 3:14-cr-00175 (WHA) (N.D. Cal.), Dkt. No. 1. A true and correct
13 copy of the Indictment is attached hereto as **Exhibit C**.

14 4. August 9, 2016 Verdict Form handed up in *United States of America v. Pacific Gas*
15 *and Electric Company*, Case No. 3:14-cr-00175 (WHA) (N.D. Cal.), Dkt. No. 884. A true and
16 correct copy of the Verdict Form is attached hereto as **Exhibit D**.

17 5. December 21, 2018 Assigned Commissioner’s Scoping Memo and Ruling issued
18 from the Public Utilities Commission of the State of California. A true and correct copy of the
19 Scoping Memo and Ruling is attached hereto as **Exhibit E**.

20 6. Form 8-K report of PG&E Corporation and Pacific Gas and Electric Company filed
21 with the Securities and Exchange Commission on February 28, 2019. A true and correct copy of
22 the Form 8-K is attached hereto as **Exhibit F**.

23 7. Transcript of Proceedings before the Honorable William Alsup on May 7, 2019 in
24 *United States of America v. Pacific Gas and Electric Company*, Case No. 3:14-cr-00175 (WHA)
25 (N.D. Cal.). A true and correct copy of the transcript is attached hereto as **Exhibit G**.

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¹ The TCC will submit the entire transcript upon request.

1 8. Order Adopting New Conditions of Probation, entered on May 14, 2019 in *United*
2 *States of America v. Pacific Gas and Electric Company*, Case No. 3:14-cr-00175 (WHA) (N.D.
3 Cal.), Dkt. No. 1071. A true and correct copy of the order is attached hereto as **Exhibit H**.

4 9. The online “Notice of Proposed Violation and Proposed Compliance Order,” dated
5 October 12, 2007, and sent to Ms. Cheryl F. Campbell in her capacity as President of WestGas
6 Interstate, Inc. (“WestGas”), a subsidiary of Xcel Energy, Inc. (“Xcel”), by the Department of
7 Transportation’s Pipeline and Hazardous Materials Safety Administration, CPF 5-2017-1012
8 (“Notice”). A true and correct copy of the Notice is attached hereto as **Exhibit I**.

9 10. The “Final Order” pertaining to Case No. CPF 5-2017-1012 against WestGas, which
10 was entered into on March 8, 2019 by the Department of Transportation’s Pipeline and Hazardous
11 Materials Safety Administration, Office of Pipeline Safety. A true and correct copy of the Final
12 Order is attached hereto as **Exhibit J**.

13 It is appropriate for the Court to take judicial notice of the foregoing documents. A court
14 may take judicial notice upon the request of a party. Fed. R. Evid. 201. A court may take judicial
15 notice of a fact that “can be accurately and readily determined from sources whose accuracy cannot
16 reasonably be questioned.” Fed. R. Evid. 201(b)(2). The authenticity or source of the documents
17 the TCC requests the Court take judicial notice of cannot be reasonably questioned—Exhibit A is
18 portions of the Debtors’ sworn testimony. Exhibits C, D, G, and H are publicly available filings in
19 *U.S. v. Pacific Gas and Electric Co.*, Case No. 3:14-cr-00175 (WHA) (N.D. Cal.). Exhibits B, E, F,
20 I and J are also matters of public record and are not reasonably subject to dispute. The Court may
21 also take judicial notice of specific facts within the judicially noticed document if not in dispute.

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1 Accordingly, the TCC respectfully requests that the Court take judicial notice of the
2 documents identified above and attached hereto as Exhibits A, B, C, D, E, F, G, H, I and J.

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4 Dated: May 15, 2019

Respectfully submitted,

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6 BAKER & HOSTETLER LLP

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8 By: /s/ Cecily A. Dumas
Cecily A. Dumas

9 *Attorneys for Official Committee of Tort Claimants*
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